

The Honorable Marsha J. Pechman

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RYAN KARNOSKI, et al.,

Plaintiffs, and

STATE OF WASHINGTON,

Plaintiff-Intervenor,

v.

DONALD J. TRUMP, in his official capacity
as President of the United States, et al.,

Defendants.

Case No. 2:17-cv-01297-MJP

**JOINT STIPULATION TO EXTEND
DEFENDANTS' TIME TO RESPOND TO
THE COURT'S ORDER CONCERNING
WASHINGTON INTERROGATORY
NOS. 9 AND 16 AND REQUESTS FOR
PRODUCTION NOS. 9 AND 16 (DKT.
486)**

NOTE ON MOTION CALENDAR:
May 6, 2020

1 Plaintiff-Intervenor State of Washington, and Defendants Donald J. Trump, Mark Esper,
2 and the United States Department of Defense (collectively “Defendants,” and together with
3 Plaintiff-Intervenor, “Parties”), based on their meet-and-confer of May 6, 2020, hereby stipulate
4 as follows:

5 WHEREAS, on April 20, 2020, the Court ordered Defendants to respond to Washington’s
6 discovery requests, including interrogatories 9 and 16, and requests for production (RFPs) 9 and
7 16 by May 8, 2020. (Dkt. No. 486.)

8 WHEREAS, Defendants assert they are able only to provide a partial response to
9 Washington’s interrogatory 16 with complete information from the Army and Navy and partial
10 information from the Air Force by May 8, 2020.

11 WHEREAS, as described in the attached declaration from Lieutenant Colonel Jennifer
12 Stangle, the Air Force asserts it is not able to complete its compilation of information responsive
13 to Washington’s interrogatory 16 by May 8, 2020, because the Air Force must conduct the
14 review remotely due to the COVID-19 pandemic, and the Air Force is experiencing network
15 delays.

16 WHEREAS, as described in the attached declaration from Brian Judge, the Coast Guard
17 asserts it is not able to compile information responsive to Washington’s interrogatory 16 by May
18 8, 2020, because the Coast Guard must conduct a manual review of paper records that are not
19 stored in a central location and the COVID-19 pandemic has significantly limited the availability
20 of Coast Guard medical providers to conduct the necessary manual review of paper records.

21 WHEREAS, Defendants are not able to provide all documents responsive to RFP 16 by
22 May 8, 2020, because that RFP requests documents that form the basis of Defendants’ response
23 to interrogatory 16, which Defendants need additional time to complete for the reasons provided
24 above.

25 WHEREAS, the Parties held a meet-and-confer on May 6, 2020 and are currently
26 discussing the types of documents responsive to RFP 16 and whether the parties can reach an
27 agreement on the documents to be produced in response to RFP 16.
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1 WHEREAS, Defendants assert they are able only to provide a partial response to
2 Washington's interrogatory 9 with complete information from the Army, Navy, and Coast
3 Guard, and partial information from the Air Force by May 8, 2020.

4 WHEREAS, the Air Force reports it will be unable to provide responsive information for
5 2014 to respond to Washington's interrogatory 9 by May 8, 2020, but will be able to provide
6 responsive information for the years 2015 through 2020 by May 8, 2020.

7 WHEREAS, Defendants are not able to provide all documents responsive to RFP 9 by
8 May 8, 2020, because that RFP requests documents that form the basis of Defendants' response
9 to interrogatory 9, which Defendants need additional time to complete for the reason provided
10 above.

11 NOW THEREFORE, the Parties, through their respective counsel of record, do hereby
12 stipulate and agree as follows:

13 The time for Defendants to complete their responses to Washington's Interrogatories 9 and
14 16 and Requests for Production 9 and 16 should be extended by 28 days, to June 5, 2020.

15 SO STIPULATED.

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22 Respectfully submitted, May 11, 2020.

23
24 **OFFICE OF THE WASHINGTON**
25 **STATE ATTORNEY GENERAL**

UNITED STATES
DEPARTMENT OF JUSTICE

26 *s/Chalia I. Stallings-Ala'ilima*
27 _____
28

s/Andrew E. Carmichael

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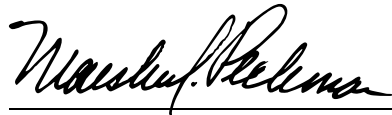
Counsel for Defendants

ORDER

This matter comes before the Court on the Parties' Joint Stipulation to Extend Defendants' Time to Respond to the Court's Order Concerning Washington Interrogatory Nos. 9 and 16 and Requests for Production Nos. 9 and 16 (Dkt. No. 486.) After considering the Parties' Joint Stipulation, the time for Defendants to provide a full response to Washington's Interrogatories 9 and 16 and Requests for Production 9 and 16 is extended by 28 days, to June 5, 2020.

IT IS SO ORDERED.

DATED this 11th day of May, 2020.



Marsha J. Pechman
Senior United States District Judge

Presented By:

**OFFICE OF THE WASHINGTON
STATE ATTORNEY GENERAL**

s/ Chalia I. Stallings-Ala'ilima

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CERTIFICATE OF SERVICE

The undersigned certifies under penalty of perjury under the laws of the United States of America and the laws of the State of Washington that all participants in the case are registered CM/ECF users and that service of the foregoing documents will be accomplished by the CM/ECF system on May 11, 2020.

s/ Andrew E. Carmichael
ANDREW E. CARMICHAEL